

REMARKS

Claims 13-16 and 18-31 will be pending in the above-identified application upon entry of the present amendment. Claim 13 has been amended by incorporating the subject matter of allowable claim 17. As such, claim 17 has been cancelled herein. Claims 1, 4, and 6-12 have also been cancelled herein. Claims 23-31 have been added. Support for new claims 23-31 can be found in the present specification, *inter alia*, at page 9, lines 17-18. Thus, no new matter has been added. Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Examiner's Interview

Applicants would like to thank the Examiner for her time during the interview on November 3, 2010. Applicants appreciate the courtesies extended to them in this application. Based on the discussions during the interview, Applicants believe that the claims are now in condition for allowance. Should the Examiner believe that there remains any outstanding issues, Applicants respectfully request that the Examiner contact Applicants' Representative so as to expedite resolution of these outstanding issues, via an Examiner's Amendment or the like.

Drawings

Since no objection has been received, Applicants assumes that the drawings are acceptable and that no further action is necessary. Confirmation is respectfully requested.

Allowable Subject Matter

Applicants acknowledge the indication of allowable subject matter of claim 17. Applicants have incorporated the allowable subject matter of claim 17 into independent claim 13. All pending claims depend from claim 13. As such, all pending claims are believed to be directed to allowable subject matter. Therefore, Applicants respectfully submit that this application is now in condition for allowance. An early reconsideration and Notice of Allowance are respectfully requested.

Issues under 35 U.S.C. § 103(a)

1) Claims 1, 4, and 6-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamoto et al. '994 (US 2003/0021994).

2) Claims 1, 4, 6, 8-16, and 18-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nanbu et al. '675 (US 6,074,675) in view of Kumar et al.

Applicants respectfully traverse. Reconsideration and withdrawal of this rejection are respectfully requested based on the following considerations.

Legal Standard for Determining Prima Facie Obviousness

MPEP 2141 sets forth the guidelines in determining obviousness. First, the Examiner has to take into account the factual inquiries set forth in *Graham v. John Deere*, 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), which has provided the controlling framework for an obviousness analysis. The four *Graham* factors are:

- (a) determining the scope and content of the prior art;
- (b) ascertaining the differences between the prior art and the claims in issue;
- (c) resolving the level of ordinary skill in the pertinent art; and
- (d) evaluating any evidence of secondary considerations.

Graham v. John Deere, 383 U.S. 1, 17, 148 USPQ 459, 467 (1966).

Second, the Examiner has to provide some rationale for determining obviousness. MPEP 2143 sets forth some rationales that were established in the recent decision of *KSR International Co. v Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007).

As the MPEP directs, all claim limitations must be considered in view of the cited prior art in order to establish a *prima facie* case of obviousness. See MPEP 2143.03.

Distinctions over the Cited Reference

As amended, claim 1 recites the subject matter of claim 17, which the Examiner has indicated to be allowable subject matter. As such, the cited references fail to disclose each and every element of the pending claims.

To establish a *prima facie* case of obviousness of a claimed invention, all of the claim limitations must be disclosed by the cited references. As discussed above, the cited references fail to disclose all of the claim limitations of independent claim 1, and those claims dependent thereon. Accordingly, the references do not render the present invention obvious.

Furthermore, the cited references or the knowledge in the art provide no reason or rationale that would allow one of ordinary skill in the art to arrive at the present invention as claimed. Therefore, a *prima facie* case of obviousness has not been established, and withdrawal of the outstanding rejections is respectfully requested. Any contentions of the USPTO to the contrary must be reconsidered at present.

New Claims 23-31

Applicants have newly added claims 23-31 in an effort to further define the scope of protection owed to Applicants. Applicants respectfully submit that claims 23-31 are allowable for the reasons given above. As such, Applicants respectfully assert that claims 23-31 clearly define over the cited references, and an early action to this effect is earnestly solicited.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad M. Rink, Registration No. 58,258, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

By _____



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